THE HON'BLE DR JUSTICE G.YETHIRAJULU

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WRIT PETITION NO : 17694 of 1994

Date:23-09-2005

Between:

A. Venkataramesh Babu S/o Anjayya, aged 27 years,

Kandukur, Prakasam District and another.

Petitioners

And

1. The State of A.P. rep. by its Secretary,

Education Department, Secretariat Buildings, Hyderabad and others.

Respondents

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

W.P.No.17694 of 1994

ORDER:

The petitioners approached this Court through this writ petition seeking to declare the inaction of the respondents in appointing them as Teachers in terms of G.O.Ms.No.716, Panchayat Raj and Rural Development Department, dated 13-11-1981, G.O.Ms.No.678, dated 28-11-1990 read with G.O.Ms.No.301, Education Department, dated 21-11-1990 as illegal, arbitrary, discriminatory and violative of the orders of the Courts and for a consequential direction to appoint the petitioners as Teachers.

According to the petitioners they are qualified for appointment to the posts of Teachers. The recruitment process was initiated in the year 1989 and the selections for recruitment of Special Teachers and Secondary Grade Teachers were held in the year 1989 to fill up the posts of Teachers in Panchayat Raj and Government Institutions. The written test was conducted on 25-05-1989 and oral tests were conducted in the subsequent months on various dates. The selection list was prepared and most of the selected candidates were appointed as Second Grade Teachers and some of them were appointed as Special Teachers. About five thousand candidates were kept in the waiting list. The candidates have not been appointed though the vacant posts arose within a period of 12 months. The petitioners pleaded that thousands of qualified teachers approached the Tribunal seeking direction for their appointment.

The Government contended that the life of the panel is not in existence and the panel list also exhausted in terms of G.O.Ms.No.231,

dated 31-03-1989, hence the question of appointing the qualified Teachers does not arise.

The petitions filed before the Administrative Tribunal seeking directions to the respondents were dismissed. When the qualified teachers approached the High Court, stay orders were issued and subsequently, those orders were modified by a Division Bench directing that the empanelled candidates have to be given the appointments maintaining the reservations and 3% reservation for physically handicapped candidates. The respondents did not implement the orders of the High Court. Subsequently, the petitioners and other qualified teachers made several representations and observed dharnas, but the respondents did not appoint them. Therefore, the petitioners approached this Court through this writ petition.

Though the petitioners stated so many things about several candidates, they did not specifically mention in the writ petition whether they were in the list of selected candidates, if so what were their numbers in the list of candidates. The petitioners mentioned in the writ petition that the petitions filed by them before the Administrative Tribunal were dismissed. This is not a public interest petition filed by them to agitate for other candidates.

It was the specific version of the respondents that the life of the panel was over after one year and they accommodated the selected candidates to the vacant posts that were vacant and the waiting list lapsed due to lapse of the time.

The learned counsel for the petitioner submitted that the respondents issued another notification subsequently calling for applications from the eligible candidates for appointments as Teachers without considering the candidates remained in the waiting list. Since the petitioners did not specify whether they were in the list of selected candidates and whether they were in the waiting list, they are not entitled for any specific direction to the respondents regarding their appointment as Teachers. Unless the petitioners come forward with any plea pointing out the illegality in the process of selection or appointment, they are not entitled for any direction as prayed for. In the light of the above circumstances, the petitioners are not entitled for any relief as prayed for.

In the result, the writ petition is dismissed as devoid of merits. No order s to

costs.

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(Dr.G.YETHIRAJULU, J)

Dated 23rd September, 2005.

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